IN THE CLAIMS

Following is a replacement claim set.

1. (currently amended) A method for execution by one or more processors for pricing access to e-content comprising:

transmitting the e-content selected from e-books, e-videos, e-movies, e-documents, e-television, e-games, e-music ~~and~~ or combinations thereof over a network to a computer for access by listening, viewing or combinations thereof ~~along with a usage tracker for performing a step of tracking one or more usage characteristics~~;

tracking ~~one or more usage characteristics of an individual's~~ the access to the e-content, wherein the access ~~one or more usage characteristics are selected from the group consisting of~~ is tracked as a quantity of the e-content accessed, a quantity of time spent accessing the e-content, ~~nature of the e-content, and~~ or combinations thereof;

accepting ~~return of the e-content from the computer along with~~ the ~~one or more usage characteristics~~ tracked access; and

charging ~~the individual~~ a price that is determined as a predetermined function of the tracked access ~~one or more usage characteristics~~.

2. (currently amended) The method of claim 1, further comprising:

establishing a usage profile for ~~the~~ an individual;

storing in the usage profile the ~~one or more usage characteristics~~ access tracked during a first session; and

updating the usage profile to reflect the ~~one or more usage characteristics~~ access tracked during a subsequent session.

3. (currently amended) The method of claim 2, wherein the step of updating the usage profile includes accumulating the ~~one or more usage characteristics~~ tracked access over a plurality of sessions.

4. (currently amended) The method of claim 3, wherein the price is determined as a predetermined function of the ~~one or more usage characteristics~~ access to the e-content during ~~of~~ the current session, ~~the one or more accumulated usage characteristics~~ a tracked accumulation of the access, or a combination thereof.

5. (original) The method of claim 1, wherein the predetermined function is a non-linear function.

6. (cancelled)

7. (currently amended) The method of claim [[1]] 35, wherein the step of accepting return includes receiving the entire e-content.

8. (currently amended) The method of claim [[1]] 35, wherein the step of accepting return includes deleting the e-content from the ~~individual's~~ computer.

9. (previously presented) The method of claim 1, further comprising:
determining whether any copies of the transmitted e-content were made.

10. (currently amended) The method of claim 1, further comprising:
periodically receiving messages from the usage tracker indicating a change in the ~~one or more usage characteristics~~ tracked access.

11. (cancelled)

12. (currently amended) A computer system for pricing access to e-content comprising:
transmitting means for transmitting the e-content selected from e-books, e-videos, e-movies, e-documents, e-television, e-games, e-music ~~and~~ or combinations thereof over a network to a computer for access by listening, viewing or combinations thereof ~~along with a usage tracker for performing a step of tracking one or more usage characteristics~~;

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PAGE 4/10 * RCVD AT 10/20/2005 11:40:28 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/28 * DNIS:2738300 * CSID:713 939 9508 * DURATION (mm-ss):02-44

tracking means for tracking ~~one or more usage characteristics of an individual's~~ the access to the e-content, wherein the access ~~one or more usage characteristics are selected from the group consisting of~~ is tracked as a quantity of e-content accessed, a quantity of time spent accessing the e-content, ~~nature of the e-content, and~~ or combinations thereof;

accepting means for ~~accepting return of the e-content from the computer along with~~ the ~~one or more usage characteristics~~ tracked access; and

charging means for charging ~~the individual~~ a price that is determined as a predetermined function of the tracked access ~~one or more usage characteristics~~.

13. (currently amended) The system of claim 12, further comprising:

establishing means for establishing a usage profile for ~~the~~ an individual;

storing means for storing in the usage profile the ~~one or more usage characteristics~~ access tracked during a first session; and

updating means for updating the usage profile to reflect the ~~one or more usage characteristics~~ access tracked during a subsequent session.

14. (currently amended) The system of claim 13, wherein the updating means includes accumulating means for accumulating the ~~one or more usage characteristics~~ tracked access over a plurality of sessions.

15. (currently amended) The system of claim 14, wherein the price is determined as a predetermined function of the ~~one or more usage characteristics~~ access to the e-content during ~~of~~ the current session, ~~the one or more accumulated usage characteristics~~ a tracked accumulation of the access, or a combination thereof.

16. (original) The system of claim 12, wherein the predetermined function is a non-linear function.

17. (cancelled)

18. (currently amended) The system of claim [[12]] 36, wherein the accepting means includes receiving means for receiving the entire e-content.

19. (currently amended) The system of claim [[12]] 36, wherein the accepting means includes deleting means for deleting the e-content from the individual's computer.

20. (previously presented) The system of claim 12, further comprising:

determining means for determining whether any copies of the transmitted e-content were made.

21. (currently amended) The system of claim 12, further comprising:

receiving means for receiving messages from the usage tracker indicating a change in the one or more usage characteristics tracked access.

22. (currently amended) A computer program product for execution using one or more processors including instructions embodied on a computer readable medium, the instructions comprising:

transmitting instructions for transmitting the e-content selected from e-books, e-videos, e-movies, e-documents, e-television, e-games, e-music and or combinations thereof over a network to a computer for access by listening, viewing or combinations thereof along with a usage tracker for performing a step of tracking one or more usage characteristics;

tracking instructions tracking one or more usage characteristics of an individual's the access to the e-content, wherein the access one or more usage characteristics are selected from the group consisting of is tracked as a quantity of the e-content accessed, a quantity of time spent accessing the e-content, nature of the e-content, and or combinations thereof;

accepting instructions for accepting return of the e-content from the computer along with the one or more usage characteristics tracked access; and

charging instructions for charging the individual a price that is determined as a predetermined function of the tracked access one or more usage characteristics.

23. (currently amended) The computer program product of claim 22, further comprising:

establishing instructions for establishing a usage profile for ~~the~~ an individual;

storing instructions for storing in the usage profile the ~~one or more usage characteristics~~ access tracked during a first session; and

updating instructions for updating the usage profile to reflect the ~~one or more usage characteristics~~ access tracked during a subsequent session.

24. (currently amended) The computer program product of claim 23, wherein the updating instructions include accumulating instructions for accumulating the ~~one or more usage characteristics~~ tracked access over a plurality of sessions.

25. (currently amended) The computer program product of claim 24, wherein the price is determined as a predetermined function of the ~~one or more usage characteristics~~ access to the e-content during ~~of~~ the current session, ~~the one or more accumulated usage characteristics~~ a tracked accumulation of the access, or a combination thereof.

26. (original) The computer program product of claim 22, wherein the predetermined function is a non-linear function.

27. (cancelled)

28. (currently amended) The computer program product of claim [[22]] 37, wherein the accepting instructions include receiving instructions for receiving the entire e-content.

29. (currently amended) The computer program product of claim [[22]] 37, further comprising: deleting instructions for deleting the e-content from the ~~individual's~~ computer.

30. (currently amended) The computer program product of claim 22, ~~wherein the accepting instructions include~~ determining instructions for determining whether any copies of the transmitted e-content were made.

31. (cancelled)

32-33. (cancelled)

34. (new) The method of claim 1, further comprising:

    providing an access tracker for performing the step of tracking the access to the e-content.

35. (new) The method of claim 1, further comprising:

    accepting return of the e-content from the computer.

36. (new) The system of claim 12, further comprising:

    accepting means for accepting return of the e-content from the computer.

37. (new) The computer program product of claim 22, further comprising:

    accepting instructions for accepting return of the e-content from the computer.